

No. 5:14-CV-00392-FL

substantial evidence supporting the ALJ's evaluation of plaintiff's residual functional capacity. (Pl. Obj. to M&R at 4, DE 23). Plaintiff takes issue with the conclusion reached by the ALJ that plaintiff was able to perform light work, and argues that plaintiff's medical record supports a finding that plaintiff is unable to perform the standing and walking required by light work. Id.

In argument, plaintiff points to no particular error on the magistrate judge's part, but rather, restates without substantive alteration, and in many instances verbatim, arguments made in plaintiff's complaint and motion for judgment on the pleadings. (Compl. at ¶7, DE 6; Pl. Motion at 6-8, DE 16). Upon careful review of the record, the court finds that the magistrate judge already has addressed the argument made by plaintiff in his objection, and plaintiff raises no new issues for the court to review de novo. The magistrate judge thoroughly addressed this argument at pages 11-13 of the M&R, where he discusses the evidence of the multiple impairments alleged by plaintiff, as well as the ALJ's conclusion that contradictions existed between plaintiff's allegations and the medical records. "Subject only to the substantial evidence requirement, it is the province of the [ALJ], and not the courts, to make credibility determinations and to resolve ambiguities in the evidence." Mickles v. Shalala, 29 F.3d 918, 929 (4th Cir. 1994). Accordingly, the court adopts as its own the magistrate judge's discussion of this issue.

CONCLUSION

Based on the foregoing, the court ADOPTS the M&R, overrules plaintiff's objection, and upholds the Commissioner's decision. Accordingly, plaintiff's motion for judgment on the pleadings (DE 16) is DENIED, and defendant's motion for judgment on the pleadings (DE 19) is GRANTED. The clerk is DIRECTED to close the case file.

SO ORDERED this 14th day of September, 2015.

A handwritten signature in black ink, reading "Louise W. Flanagan". The signature is written in a cursive, flowing style. The first name "Louise" is written with a large, ornate capital "L". The middle initial "W." is written in a smaller, simpler script. The last name "Flanagan" is written in a cursive script with a large capital "F".

LOUISE W. FLANAGAN
United States District Judge